

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-01173-ABJ**

CENTER FOR PUBLIC INTEGRITY v. U.S. DEPARTMENT  
OF ENERGY et al

Assigned to: Judge Amy Berman Jackson  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/18/2018  
Date Terminated: 07/06/2020  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****CENTER FOR PUBLIC INTEGRITY**

represented by **Peter Newbatt Smith**  
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V.

**Defendant****U.S. DEPARTMENT OF ENERGY**

represented by **Marsha Wellknown Yee**  
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**TERMINATED: 04/21/2020**

**Defendant****U.S. DEPARTMENT OF STATE**

represented by **Marsha Wellknown Yee**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Rhonda Lisa Campbell**  
(See above for address)  
**TERMINATED: 04/21/2020**

Date Filed	#	Docket Text
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05/18/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE ( Filing fee \$ 400 receipt number 0090-5489221) filed by CENTER FOR PUBLIC INTEGRITY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons to Dept of Energy, # <u>3</u> Summons to Dept of State, # <u>4</u> Summons to U.S. Atty, # <u>5</u> Summons to Atty Gen)(Smith, Peter) (Entered: 05/18/2018)
05/18/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CENTER FOR PUBLIC INTEGRITY (Smith, Peter) (Entered: 05/18/2018)
05/18/2018		Case Assigned to Judge Amy Berman Jackson. (zsth) (Entered: 05/18/2018)
05/18/2018	<u>3</u>	SUMMONS (4) Issued Electronically as to U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zsth) (Entered: 05/18/2018)
05/21/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/21/2018. Answer due for ALL FEDERAL DEFENDANTS by 6/20/2018. (Smith, Peter) (Entered: 05/21/2018)
05/25/2018	<u>5</u>	NOTICE of Appearance by Rhonda Lisa Campbell on behalf of U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE (Campbell, Rhonda) (Entered: 05/25/2018)
05/30/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF ENERGY served on 5/25/2018; U.S. DEPARTMENT OF STATE served on 5/29/2018, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 5/29/2018. (Attachments: # <u>1</u> Exhibit Return Receipt – Energy Dep't, # <u>2</u> Exhibit Return Receipt – State Dep't, # <u>3</u> Exhibit Return Receipt – Attorney General)(Smith, Peter) (Entered: 05/30/2018)
06/16/2018	<u>7</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE (Campbell, Rhonda) (Entered: 06/16/2018)
06/18/2018		MINUTE ORDER granting <u>7</u> Motion for Extension of Time to Answer. Defendants must file a responsive pleading by July 25, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 6/18/2018. (lcabj2) (Entered: 06/18/2018)
07/20/2018	<u>8</u>	Unopposed MOTION for Leave to File <i>Supplemental Complaint</i> by CENTER FOR PUBLIC INTEGRITY (Attachments: # <u>1</u> Exhibit Proposed Supplemental Complaint, # <u>2</u> Text of Proposed Order)(Smith, Peter) (Entered: 07/20/2018)
07/24/2018		MINUTE ORDER granting <u>8</u> consent motion for leave to file supplemental complaint. The Clerk of Court is ORDERED to file the Supplemental Complaint [8-1] on the docket. Defendants must file a responsive pleading by August 7, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 7/24/2018. (lcabj2) (Entered: 07/24/2018)
07/24/2018	<u>9</u>	SUPPLEMENT re <u>1</u> Complaint, filed by CENTER FOR PUBLIC INTEGRITY. (jf) (Entered: 07/25/2018)
08/08/2018	<u>10</u>	Unopposed MOTION for Leave to File <i>Defendants' Answer</i> by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE (Attachments: # <u>1</u> Answer)(Campbell, Rhonda) (Entered: 08/08/2018)
08/08/2018		MINUTE ORDER granting <u>10</u> Motion for Leave to File Answer. The Clerk of Court is directed to file defendants' Answer [10-1] on the docket. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/8/2018. (lcabj2) (Entered: 08/08/2018)
08/08/2018	<u>11</u>	ANSWER to Complaint by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE.(jf) (Entered: 08/13/2018)
08/13/2018	<u>12</u>	ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendants shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production

		of documents to plaintiff on or before September 12, 2018. See Order for details. SO ORDERED. Signed by Judge Amy Berman Jackson on 8/13/2018. (lcabj2) (Entered: 08/13/2018)
09/12/2018	<u>13</u>	STATUS REPORT by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE. (Campbell, Rhonda) (Entered: 09/12/2018)
09/12/2018		MINUTE ORDER. Defendants must file a status report by October 19, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 9/12/2018. (lcabj2) (Entered: 09/12/2018)
10/19/2018	<u>14</u>	STATUS REPORT by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE. (Campbell, Rhonda) (Entered: 10/19/2018)
10/19/2018	<u>15</u>	MOTION for Scheduling Order by CENTER FOR PUBLIC INTEGRITY (Attachments: # <u>1</u> Text of Proposed Order)(Smith, Peter) (Entered: 10/19/2018)
10/19/2018		MINUTE ORDER granting <u>15</u> Motion for Scheduling Order. The processing of all records, including those referred to other agencies, must be completed by November 13, 2018. The defendants must provide plaintiff with a report and all records to be released in full or in part on or before November 16, 2018. The parties must file a joint status report indicating whether there are any issues to be resolved by the Court, and if so, proposing a schedule for further proceedings, by November 26, 2018. SO ORDERED. Signed by Judge Amy Berman Jackson on 10/19/2018. (lcabj2) (Entered: 10/19/2018)
11/26/2018	<u>16</u>	Joint STATUS REPORT by CENTER FOR PUBLIC INTEGRITY. (Smith, Peter) (Entered: 11/26/2018)
11/26/2018	<u>17</u>	MOTION for Briefing Schedule by CENTER FOR PUBLIC INTEGRITY. (See Docket Entry <u>16</u> to view document) (jf) (Entered: 11/28/2018)
11/27/2018		MINUTE ORDER. In light of the parties' joint status report <u>16</u> , it is ORDERED that defendants must file a motion summary judgment by February 1, 2019; plaintiff must file an opposition and any cross-motion for summary judgement, to be supported by a single memorandum, by March 1, 2019; defendants must file a reply and any cross-opposition, to be supported by a single memorandum, by March 15, 2019; and plaintiff must file a reply by March 22, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 11/27/2018. (lcabj2) (Entered: 11/27/2018)
02/04/2019	<u>18</u>	MOTION to Amend/Correct Briefing Schedule by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE (Campbell, Rhonda) (Entered: 02/04/2019)
02/04/2019	<u>19</u>	Memorandum in opposition to re <u>18</u> MOTION to Amend/Correct Briefing Schedule filed by CENTER FOR PUBLIC INTEGRITY. (Attachments: # <u>1</u> Text of Proposed Order)(Smith, Peter) (Entered: 02/04/2019)
02/06/2019		MINUTE ORDER granting <u>18</u> Motion to Amend Schedule. Defendants' motion for summary judgment must be filed by March 1, 2019; plaintiff's opposition and cross-motion for summary judgment must be filed by March 29, 2019; defendants' reply and cross-opposition must be filed by April 12, 2019; and plaintiff's cross-reply must be filed by April 19, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 2/6/2019. (lcabj2) (Entered: 02/06/2019)
03/01/2019	<u>20</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration Perez (Energy), # <u>4</u> Exhibit A (Perez –Energy), # <u>5</u> Exhibit B (Perez – Energy), # <u>6</u> Exhibit C (Perez–Energy), # <u>7</u> Declaration Stein (State), # <u>8</u> Exhibit Stein – State)(Campbell, Rhonda) (Entered: 03/01/2019)
03/04/2019	<u>21</u>	ERRATA by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE <u>20</u> MOTION for Summary Judgment filed by U.S. DEPARTMENT OF STATE, U.S. DEPARTMENT OF ENERGY. (Attachments: # <u>1</u> Declaration Perez Declaration corrected, # <u>2</u> Memorandum in Support corrected, # <u>3</u> Statement of Facts corrected)(Campbell, Rhonda) (Entered: 03/04/2019)

03/29/2019	<u>22</u>	Cross MOTION for Summary Judgment by CENTER FOR PUBLIC INTEGRITY (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order, # <u>3</u> Exhibit Document 2)(Smith, Peter) (Entered: 03/29/2019)
03/29/2019	<u>23</u>	Memorandum in opposition to re <u>20</u> MOTION for Summary Judgment filed by CENTER FOR PUBLIC INTEGRITY. (Smith, Peter) (Entered: 03/29/2019)
04/12/2019	<u>24</u>	REPLY to opposition to motion re <u>22</u> Cross MOTION for Summary Judgment filed by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE. (Attachments: # <u>1</u> Declaration Herrington, # <u>2</u> Declaration Weckerle)(Campbell, Rhonda) (Entered: 04/12/2019)
04/19/2019	<u>25</u>	REPLY to opposition to motion re <u>22</u> Cross MOTION for Summary Judgment filed by CENTER FOR PUBLIC INTEGRITY. (Smith, Peter) (Entered: 04/19/2019)
03/13/2020		MINUTE ORDER. In order to assist the Court in making a responsible de novo determination, defendants are directed to deliver to chambers for in camera inspection, by March 17, 2020, the sixteen documents that they have redacted pursuant to exemptions 5, 6, and 7(F). See Ray v. Turner, 587 F.2d 1187, 1195 (D.C. Cir. 1978). SO ORDERED. Signed by Judge Amy Berman Jackson on 3/13/2020. (lcabj2) (Entered: 03/13/2020)
03/16/2020	<u>26</u>	Unopposed MOTION for Extension of Time to <i>Submit In-Camera Material</i> by U.S. DEPARTMENT OF ENERGY (Campbell, Rhonda) (Entered: 03/16/2020)
03/20/2020		MINUTE ORDER. Defendants are ORDERED to inform the Court by March 23, 2020 whether the documents delivered in chambers for in camera review on March 17 was the entire set of sixteen documents for which they had redacted information under FOIA exemptions 5, 6, and 7(F). SO ORDERED. Signed by Judge Amy Berman Jackson on 3/20/2020. (lcabj2) (Entered: 03/20/2020)
03/23/2020	<u>27</u>	Unopposed MOTION for Extension of Time to File a <i>Declaration pursuant to this Court's March 20, 2020, Order</i> by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE (Campbell, Rhonda) (Entered: 03/23/2020)
03/24/2020	<u>28</u>	NOTICE to the Court by U.S. DEPARTMENT OF ENERGY re Order,, Set Deadlines, (Attachments: # <u>1</u> Declaration)(Campbell, Rhonda) (Entered: 03/24/2020)
03/25/2020		MINUTE ORDER. In light of the declaration submitted by defendants [28-1], and because the documents have already been delivered to chambers for in-camera inspection, it is ORDERED that defendants' motion for extension of time to submit in-camera material <u>26</u> and defendants' motion for extension of time to file a declaration <u>27</u> are hereby DENIED AS MOOT. SO ORDERED. Signed by Judge Amy Berman Jackson on 3/25/2020. (lcabj2) (Entered: 03/25/2020)
04/06/2020	<u>29</u>	ORDER. Pursuant to Federal Rules of Civil Procedure 56 and 58, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that defendants' motion for summary judgment <u>20</u> is GRANTED IN PART AND DENIED IN PART, and plaintiff's cross-motion for summary judgment <u>22</u> is DENIED. It is FURTHER ORDERED that the parties shall file a joint status report by May 4, 2020 to update the Court on whether further proceedings are necessary in this matter. See Order for complete details. SO ORDERED. Signed by Judge Amy Berman Jackson on 4/6/2020. (lcabj2) (Entered: 04/06/2020)
04/06/2020	<u>30</u>	MEMORANDUM OPINION. Signed by Judge Amy Berman Jackson on 4/6/2020. (lcabj2) (Entered: 04/06/2020)
04/21/2020	<u>31</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Marsha Wellknown Yee on behalf of U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE Substituting for attorney Rhonda L. Campbell (Yee, Marsha) (Entered: 04/21/2020)
05/04/2020	<u>32</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF ENERGY, U.S. DEPARTMENT OF STATE. (Yee, Marsha) (Entered: 05/04/2020)
05/06/2020		MINUTE ORDER. The parties must file a joint status report by July 9, 2020. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/6/2020. (lcabj2) (Entered: 05/06/2020)

07/06/2020	<u>33</u>	STIPULATION of Dismissal by CENTER FOR PUBLIC INTEGRITY. (Smith, Peter) (Entered: 07/06/2020)
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